

REMARKS

Claims 2-5, 8-9, 12, 14-16, 18, and 20-21 are currently pending in this application as amended. Paragraph 22 of the Specification has been amended. Support for the amendment to the specification can be found at paragraph [0004], lines 14-16 of the Specification. Support is also found at paragraph [0004], lines 11-13 of the Specification, where U.S. Patent No. 5,575,717 (Houriet '717) is incorporated by reference. Specific support can be found in Houriet '717 at col. 7, lines 4-6. Claims 17 and 19 have been cancelled. Claims 8, 12, and 21 have been amended to more particularly point out and distinctly claim the subject matter that the Applicants regard as their invention. Support for the claim amendments can be found, for example, in the original specification at paragraph [0004]. Accordingly, no new matter has been added by the amendments to the specification and claims.

Amendment to the Specification

Under M.P.E.P. § 2163.07(b), information from another document incorporated by reference into an application is as much a part of the application as if the text was repeated in the application. Additionally, amending the application to include the text of material incorporated by reference is not new matter.

Paragraph 22 of the Specification has been amended to more clearly indicate that the first amusement device (as well as other amusement devices in the amusement system) may include a currency input for receiving currency for operation of the device. The language for the amendment is based on lines 14-16 of paragraph [0004], which defines forms of currency for operating amusement devices, and from col. 7, lines 4-6 of Houriet '717, which was specifically incorporated by reference in the Specification at paragraph [0004], lines 11-13.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 2-3, 8-9, and 20

Claims 2-3, 8-9, and 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication Number 2002/0019984 A1 ("Rakib").

Applicants respectfully traverse the rejection and request that the rejection of claims 2-3, 8-9, and 20 be withdrawn for at least the following reasons.

Independent claim 8 has been amended to clarify the invention in view of the references cited by the Examiner. Claim 8, as amended, recites *inter alia*,

a first amusement device having a video touchscreen, a controller, an input component, and a memory, the memory of the first amusement device storing a plurality of video games playable on the first amusement device using at least the video touchscreen, the first amusement device being operable upon receipt by the input component of at least one of coins, currency, and a credit card/debit card.

Rakib fails to disclose or suggest that a first amusement device has an input component that receives one of coins, currency, and a credit card/debit card to enable a user to operate the first amusement device.

Rakib discloses a remote control personal digital assistant (PDA) specially designed for controlling services provided by headend equipment of a bidirectional cable television system to a customer premises. See paragraph [0028]. The unique PDA still retains regular functions, such as calendar and appointments, word processing, database, and address book keeping. See paragraph [0143]. The remote control can be used to order video-on-demand to be displayed on a television. The PDA sends a command to a gateway that is transferred to the cable system headend for retrieving the selected video, which is returned to the gateway for processing and output to the television. See paragraphs [0039]-[0040]. Referring to Fig. 7, a Management and System Control Computer 244 at the cable system headend coordinates with CAS and Billing Systems 288, 290 to manage payment for services rendered. See paragraph [0110].

By contrast, the claims of the present application are directed to an amusement system including a first amusement device, such as a game machine, which is installed in bars, restaurants, airports, shopping malls, and the like. As the amendment to claim 8 makes clear, the first amusement device is coin operated, currency operated, or credit card/debit card operated. Operability is typically accomplished via an input, for example, a coin slot, bill validator,

magnetic stripe reader, or the like. The first amusement device provides no functionality to the user without actuation of the input.

Rakib provides no similar feature on the PDA for allowing operation of the PDA itself. Rakib describes using the PDA for commanding the gateway to retrieve programming from the remote cable system headend server. See paragraphs [0008], [0039], [0083], and [0091]. The PDA is fully operable by the user without the need for inputting value. Rakib therefore does not disclose or remotely suggest a first amusement device having an input component that receives one of coins, currency, or a credit card/debit card to enable a user to operate the first amusement device.

Accordingly, Applicants respectfully request that the rejection of independent claim 8 and dependent claims 2-3, 9, and 20 under 35 U.S.C. § 103(a) be withdrawn.

Claims 4-5, 12, 14-19, and 21

Claims 4-5, 12, 14-19, and 21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Rakib in view of Knowles. Claims 17 and 19 have been cancelled. Applicants respectfully traverse and request that the rejection of claims 4-5, 12, 14-16, 18, and 21 be withdrawn for at least the following reasons.

The Examiner suggests that one would be motivated to combine the currency operation method of the jukebox of U.S. Patent No. 5,481,509 (Knowles) with the system of Rakib to generate income for owners of the system. The currency operation method of Knowles is a money validator 20 mounted on a jukebox cabinet. When a user enters currency to the money validator 20, an electrical signal is generated indicating a predetermined amount of currency. When a sufficient amount is deposited, a user may make a selection on the jukebox. (See col. 3, lines 15-17 and col. 3, line 44 – col. 4, line 6). This method teaches away from the invention of Rakib.

Rakib already discloses a billing method for use of the video-on-demand service. Namely, the Management and System Control Computer 244 at the cable system headend coordinates with CAS and Billing Systems 288, 290 to manage payment for services rendered.

Including a second billing method to operate the PDA would be redundant. Additionally, adding the money validator to the PDA would impose a greater burden on the individual seeking revenue. Money input into a validator or coin slot remains therein until it is retrieved. Since one aspect of the invention allows users to operate the PDA with a home gateway, an individual seeking revenue would have to go to each customer's home to request access to the PDAs for collection of the money. Further, the addition of a coin slot, money validator, credit card reader, or the like to the PDA would be impractical. These components tend to be bulky, and especially in the case of a coin slot, can become quite heavy as coins accumulate.

Some language in Rakib also suggests that the user of the PDA is the owner, or at least a long-term lessee. As described above, the system of Rakib is intended for use to access programming in the home through a home gateway. See, for example, paragraph [0053]. The PDA also includes functionality for calendar, appointment, and address book keeping. See paragraph [0154]. Such functionality does not indicate short-term operation by the user. The user is clearly intended to be an individual that will be in possession of the PDA for quite some time. If the user does not in fact own the PDA, it would be more practical for a long-term lessor of the PDA to charge a monthly rental fee or the like, rather than use a money validator attached to the PDA that charges the customer per use.

Claims 4-5 depend from independent claim 8. As described above, one skilled in the art would not be motivated to combine the money validator of Knowles with the PDA of Rakib to meet the limitations of claim 8. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) of claims 4-5, which depend from claim 8, be withdrawn.

Claims 12 and 21 have been amended to also include the limitation that the first amusement device include an input component enabling a user to operate the first amusement device upon receipt by the input component of at least one of coins, currency, and a credit card/debit card. As described above, one skilled in the art would not be motivated to combine the money validator of Knowles with the PDA of Rakib to meet this limitation. Claims 14-16 and 18 depend from claim 12. Accordingly, Applicants respectfully request that the rejection of independent claims 12 and 21 and dependent claims 14-16 and 18 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the foregoing Remarks, it is respectfully submitted that the present application including claims 2-5, 8-9, 12, 14-16, 18, and 20-21, is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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